IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI

WEDNESDAY, THE 22ND NOVEMBER 2006 / 1ST AGRAHAYANA 1928

Crl.Rev.Pet.No. 157 of 1999()

CC.156/1996 of JUDL.MAGISTRATE OF FIRST CLASS-II, MANJERI
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REVN. PETITIONER/PW1/DEFACTO COMPLAINANT

P.ABOOBAKKAR, S/O.KUNCHARRIYAN,
PARAMMAL HOUSE, UPHILL (KAVUNGAL)
MALAPPURAM DIST.

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS/COMPLAINANT & ACCUSED
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1. STATE OF KERALA REPRESENTED BY THE
SUB INSPECTOR OF POLICE, MANJERI.

2. MUHAMMAD IBRAHIM, S/O.ABDUL KADAR,
HOSPITAL JUNCTION, MANJERI.

BY ADV. SRI.K.RADHAKRISHNAN
SRI.SAJEEV KUMAR K.GOPAL
R1 BY PUBLIC PROSECUTOR MR.P.RAVINDRA BABU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 22/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.K. BALI, C.J.

Crl.R.P.No.157 of 1999

Dated, this the 22nd day of November, 2006

ORDER

V.K.Bali,C.J.(Oral)

The second respondent herein (accused) was tried for offences under Sections 457, 380 and 427 of the Indian Penal Code on a complaint lodged by his tenant. The main allegation against the accused was that on 13.6.1994 at 12 midnight he had come to the shop and destroyed some materials kept there and looted the shop. After trial the learned Magistrate acquitted the accused vide order dated 14th December, 1998. It is against this order of acquittal that the present revision has been filed.

2. I have heard learned counsel for the petitioner and examined the records of the case. The evidence in the case is circumstantial evidence. On the basis of the evidence let in by the prosecution the learned Magistrate arrived at a correct conclusion. I may, however, mention at this stage that this has been a case of landlord-accused that it was a totally false case. He had in fact filed an application praying the court that the

complainant should pay compensation to him for filing a false complaint, but that was dismissed. Be that as it may, there is no merit in this revision petition. It is dismissed.

V.K. BALI,
CHIEF JUSTICE.

vns